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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,033	09/30/2003	Sachin G. Deshpande	SLA1391	5429
<div>50735 7590 09/04/2007</div> <div>MADSON & AUSTIN 15 WEST SOUTH TEMPLE SUITE 900 SALT LAKE CITY, UT 84101</div>				
			<div>EXAMINER</div> <div>CLOUD, JOIYA M</div>	
			<div>ART UNIT</div> <div>2144</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>09/04/2007</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/675,033

Applicant(s)

DESHPANDE, SACHIN G.

Examiner

Joiya M. Cloud

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications 08/16/2007. Claims 1-27 are presented for examination. Claims 1, 10, and 19 have been amended.
2. Applicant's arguments filed 08/16/2007 have been considered but are not persuasive. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (**i.e. wherein the stream access identifiers identify...a non-original stream of media data...**) to the claims which significantly affected the scope thereof.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-6 and 8-27**, are rejected under 35 U.S.C. 102(b) as being anticipated by **O'Rourke et al. (US Patent No. 7,046,478 B2, hereinafter O)**.

As per claim 1, O teaches in a server system (**Figure 1, item 102**), a method comprising identifying at least one media content identifier in a media content directory, wherein the media content identifier identifies media content (**Abstract and col. 3, lines 60-65, where the content**

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identifiers identifying the media content include URL's which identify e.g., (.asf) file), wherein a plurality of stream access identifiers (col. 4, lines 44-67, where the placeholders are associated with the URL's) are associated with the media content identifier (col. 4, lines 44-67, where the placeholders are associated with the URL's), wherein the stream access identifiers identify different streams of media data corresponding to the same media content, and wherein at least one of the stream access identifiers identifies a non-original stream of media data; determining which of the plurality of stream access identifiers include access information for accessing the original stream of media data from a media file comprising the media content (Abstract, col. 5, lines 6-13, col. 6, lines 36-59 and col. 6, lines 4-18, where the placeholders in a wrapper playlist correspond to the original playlist); and providing identifier information about the at least one stream access identifier to a client in response to a client request (Abstract, where the server provides the content items to the client).

As per claim 2, O teaches a method wherein the original stream of the media data from the media file is provided to the client without protocol translation or format conversion being performed by the server system (col. 5, lines 6-13 and col. 6, lines 1-15, where no modification is performed by the server).

As per claim 3, O teaches a method wherein the access information comprises a uniform resource identifier for the media file (Figures 3-5 and col. 3, lines 60-67).

As per claim 4, O teaches a method wherein identifying the at least one stream access identifier comprises receiving user input (col. 9, lines 15-30).

As per claim 5, O teaches a method wherein identifying the at least one stream access identifier comprises matching a characteristic of the at least one stream access identifier to a similar characteristic of the media file (**col. 6, lines 36-47 and col. 5, lines 35-60 where the placeholders are matched to the client requested URL's which are replaced in a sequence**).

As per claim 6, O teaches a method wherein identifying the at least one stream access identifier comprises applying a rule to the plurality of stream access identifiers (**col. 4, lines 17-25 and col. 5, lines 35-64**).

As per claim 8, O teaches a method wherein the media content directory comprises an attribute that specifies whether a particular stream access identifier corresponds to the original stream (**col. 5, lines 6-13, col. 6, lines 4-18, and col. 6, lines 48-60, playlist attributes such as a URL within a wrapper**).

As per claim 9, O teaches a method wherein the at least one stream access identifier comprises the attribute (**col. 6, lines 48-60, where the URL comprises the wrapper document**).

As per claims 10-18, claims 10-18 are substantially the same as claims 1-9, but in system rather than method form.

As per claims 19-27, claims 19-27 are substantially the same as claims 1-9 and therefore are rejected using the same rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over O in view of Manni et al. (**U.S. Publication No. 2002/0027569 A1, hereinafter Manni**).

As per **claim 7**, O discloses the invention substantially as claimed. However, O does not explicitly teach a method wherein the media content directory is maintained by a Universal Plug and Play content directory service implementation.

Manni teaches a method wherein the media content directory is maintained by a Universal Plug and Play content directory service implementation (**Abstract**).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporate O's teachings to the teachings of Manni for the purpose of providing "easy-to-use, flexible, standard-based connectivity...to networks." Furthermore, Universal Plug and Play enables "seamless proximity networking in addition to control and data transfer among networked devices in the home." (**paragraph [0003]**).

Response to Arguments

7.

A.) O'Rourke does not disclose a plurality of stream access identifiers that identify different streams of media data corresponding to the same media content as recited in claim 1. As to point the above point A.), Examiner respectfully disagrees.

O'Rourke clearly teaches a media playlist which has a plurality of URL's (**where the URL's identify streams capable of being accessed or stream access identifiers**) which identify different streams of media data (**Figure 3, different streams, items 208-1-N**) which correspond to the same media content (**specifically the URL's correspond to the same playlist, Figure 3, item 206**). See also, (**col. 4, lines 56-61**). Furthermore, the playlist structure "is not restricted to placing advertisements before a requested URL," as suggested by the Applicant's arguments, but rather it is possible to place banner advertisements and other helpful links around the originally requested content (**col. 6, lines 54-56 and col. 6, lines 8-10**).

B.) O'Rourke does not disclose "determining which of the ...stream access identifiers include access information for accessing the original stream of media data" as recited in claim 1. O'Rourke also does not disclose "determining which of the...stream access identifiers include access information for accessing the original stream of media data" as recited in claim 1.

As to the above point B.), Examiner respectfully disagrees.

O'Rourke specifically teaches a wrapper playlist where at least one URL is a copy of an original requested URL (**col. 6, lines 48-60**). O'Rourke also discloses that this original URL

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might appear in the middle of the wrapper playlist, thereby determining that the middle URL provides access to the original stream of media data (**col. 6, lines 53-59**).

CONCLUSION

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922. Information

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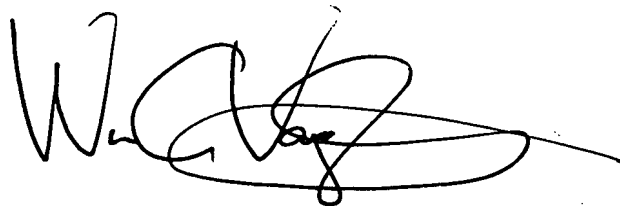
regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMC

William C. Vaughn

Supervisory Patent Examiner

August 27, 2007

A handwritten signature in black ink, appearing to read 'W. C. Vaughn', with a large, stylized flourish at the end.